

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

TURNER W. PARIS, JR.,

Plaintiff,

v.

CIVIL ACTION NO. 5:14-cv-19764

VIRGINIA TRANSPORTATION CORP., et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

On June 30, 2014, the Plaintiff filed a Complaint (Document 1) in this matter. The Complaint was subsequently amended (Document 6) on July 24, 2014. Also filed by the Plaintiff, on July 1, 2014, was an Application to Proceed *in Forma Pauperis* (Document 4).


By *Standing Order* (Document 2) entered on June 30, 2014, this action was referred to the Honorable R. Clarke VanDervort, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636. On June 18, 2015, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 7) wherein it is recommended that this Court deny the Plaintiff's Application to Proceed *in Forma Pauperis*, dismiss the Plaintiff's Complaints, and remove this matter from the Court's docket. Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by July 6, 2015.

Neither party has timely filed objections to the Magistrate Judge's *Proposed Findings and Recommendation*. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and a party's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*, and **ORDERS** that the Plaintiff's Application to Proceed *in Forma Pauperis* (Document 4) be **DENIED**, the Plaintiff's Complaints (Documents 1 & 6) be **DISMISSED**, and this matter be **REMOVED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge VanDervort, counsel of record, and any unrepresented party.

ENTER: July 10, 2015


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA